**HON'BLE SRI JUSTICE V. ESWARAIAH**

**WRIT PETITION No.15598 of 2007**

**Date: December 24, 2007**

Between:
1. Korukonda Abbulu and 16 others. … Petitioners

And

1. The Revenue Divisional Officer,
   Rajahmundry Division,
   East Godavari District and another. … Respondents

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**ORDER:**

It is the case of the petitioners that they have purchased various extents of the land and in respect of the said lands Form-II notices under Rule 3 of A.P. Assigned Lands (prohibition of transfers) Rules, 2007, have been issued by the Tahsildar, Korukonda Mandal, East Godavari District, and the particulars of their purchase, possession and extents of the property are as follows:

| S.No. of petitioners | Date of purchase | Extent | R.S.No. | Date of Notice | Date of reply |
|---|---|---|---|---|---|
| 1 | 30-10-64 | Ac.1-77 | 14/6 | -05-07 | 25.05.07 |
| 2 | 20-02-68 | Ac.1.98 | 514/1 | -05-07 | 19-05-07 |
| 3-5 | 15-06-65 | Ac.1-71<br>Ac.1-69 | 525/7<br>525/6 | -05-07 | 19-05-07 |
| 6 & 7 | 18-08-64<br>31-01-83 | Ac.2.10<br>Ac.1.82 | 517/2<br>517/4 | -05-07<br>-05-07 | 19-05-07<br>19-05-07 |
| 8 | 04-06-75 | Ac.2.50 | 523/2 | -05-07 | 19-05-07 |
| 9 | 26-10-67 | Ac.2-05 | 516/4 | -- | 08-06-07 |
| 10 & 11 | 02-12-65 | Ac.1.49 | 525/5 | -05-07 | 19-05-07 |
| 12 | 22-03-65 | Ac.1.49 | 522/3,6 | -05-07 | 19-05-07 |
| 13 & 14 | 20-01-68 | Ac.1-85 | 513/2 | -05-07 | 19-05-07 |
| 15 | 20-02-68 | Ac.1.79 ½ | 514/2 | -05-07 | 19-05-07 |
| 16 & 17 | 09-01-70 | Ac.2.33 | 515/8 | -05-07 | 19-05-07 |

It is also stated that for the said Form-II notices petitioners have submitted explanation and even before passing final orders under Section 4 (1)(a) of the A.P. Assigned Lands (prohibition of transfers) Act, 1977, the petitioners are sought to be dispossessed.

2. Learned Government Pleader appearing for the respondents submits that pursuant to the show cause notices issued calling upon the petitioners as to why the said lands shall not be resumed on the ground that the said lands originally assigned to the landless poor for agricultural purpose on condition that the assigned land is heritable but not alienable, for the contravention of provisions of sub-sections (1) & (2) of Section 3 of A.P. Assigned Lands (prohibition of transfer) Act, 1977 and the explanation was considered and final orders have been passed in Ref (B) 45/2007, dated 18.6.2007 by the Tahsildar, Korukonda.

3. If that being so, I am of the opinion that the recourse to be taken by the petitioners is to file an appeal under Section 4-A (1) of the Act before concerned Revenue Divisional Officer and having regard to the facts and circumstances, the writ petition is dismissed giving liberty to the petitioners to file an appeal against the final orders passed by the Tahsildar, Korukonda in Ref (B) 45/2007 dated 18.6.2007. No costs.

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(V. ESWARAIAH, J)

Date: December 24, 2007.

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